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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,523	08/30/2005	Vincent Deveaud	S1022.81039US00	8305
46329 7590 01/12/2007 STMicroelectronics Inc. c/o WOLF, GREENFIELD & SACKS, PC Federal Reserve Plaza 600 Atlantic Avenue BOSTON, MA 02210-2206			EXAMINER CAO, CHUN	
			ART UNIT 2115	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/528,523

Applicant(s)

DEVEAUD ET AL.

Examiner

Chun Cao

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 5-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Final Rejection

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment Dated 10/23/06.
2. Claims 1-11 are presented for examination.
3. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.

Election/Restrictions

4. Newly submitted claims 5-11 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Original claimed of claims 1-4, drawn to: randomly distributing supply power in the predetermined time window, classified in class 713, subclass 300.

Claims 5-11, drawn to: supplying power randomly to an asynchronous processing element so as to mask data being processed by the asynchronous processing element without adding to the power consumption of the asynchronous processing element, classified in class 713, subclass 320.

- a. These inventions have acquired a separate status in the art as shown by their different classification;
- b. The search required for one Group is not required for the other Groups for the reasons above restriction for examination purpose as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 5-11 are withdrawn from consideration

as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

5. The rejections are respectfully maintained to the extended that is applicable to the newly amended claims and reproduced infra for applicant's convenience.

6. Claim 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In claims 1 and 3, the specification fails to disclose that a total power in the predetermined time window being predetermined, but only discloses the predetermined time being predetermined.

In claim 2, the specification fails to disclose that the total power is determined according to a maximum possible power consumption of the calculation element.

7. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Feyt et al. (Feyt)¹, U.S. patent no. 6,698,662.

As per claim 3, Feyt discloses a circuit for supplying at least one asynchronous calculation element of an integrated circuit [fig. 1; col. 1, lines 28-31; col. 2, lines 28-30], comprising a variable supply element configured to randomly distribute in a predetermined time window, an instantaneous energy provided to the asynchronous

¹ Feyt is a reference cited by applicant.

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calculation element, a total power in the predetermined time window being predetermined [col. 1, line 65-col. 2, line 3; col. 2, lines 36-62; col. 3, lines 35-38; col. 4, lines 8-12].

As per claim 4, Feyt discloses that the variable supply element is controlled by a pseudo-random generator [28, fig. 1; col. 57-60].

As to claims 1-2, Claims 3-4 basically are the corresponding elements that are carried out the method of operating steps in claims 1-2. Accordingly, claims 1-2 are rejected for the same reason as set forth in claims 3-4.

8. Applicant's arguments filed 10/23/2006 have been fully considered but are not persuasive.

9. In the remarks, 1) applicant respectively traverses 35 U.S.C. 112 1st paragraph rejection in claim 2; 2) applicant argued in substance that Feyt does not disclose that randomly distributing an instantaneous supply power in accordance with a total power to be supplied within a predetermined time window.

10. The examiner respectfully traverses. As to 1) In the specification, page 2, lines 14-29, and in figure 2. In summary, the cited specification teaches of randomly distributing a total power consumption respective to a predetermined time window. There is not teach of a maximum possible power consumption. Therefore, the rejection of claim 2 is maintained.

As to 2), Feyt discloses that randomly distributing an instantaneous supply power in accordance with a total power to be supplied within a predetermined time window [col. 1, line 65-col. 2, line 3; col. 2, lines 36-62; col. 3, lines 35-38; col. 4, lines 8-12; emphasis added “average the variations in this current over time”. Since power consumption is proportion to the current, therefore the supply power is averaged the variations in power supply over the predetermined time].

Also see rejection above.

11. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jan. 9 2007



CHUN CAO
PRIMARY EXAMINER